



#9
5/24/99
PATENT
Ja

THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:
Mennie et al.

Serial No. 09/076,528

Filed: May 12, 1998

Title METHOD AND APPARATUS
FOR DISCRIMINATING AND
COUNTING DOCUMENTS

)
)
)
) Examiner: Anh Do
)
) Group Art Unit: 2724
)
) Attorney Docket No. CUMM:139--1
)

RECEIVED

MAY 24 1999

Group 2700

THIRD INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§1.97 and 1.98

Assistant Commissioner for
Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S.
Postal Service as First Class Mail in an envelope addressed to: Assistant
Commissioner for Patents, Washington, D.C. 20231, on the date below:

5-12-99 *Jennifer L. Sorokup*
Date Signature

Sir:

In compliance with the duty of disclosure under 37 C.F.R. §1.56, it is respectfully requested that this Information Disclosure Statement be entered and the references listed on attached Form PTO-1449 be considered by the Examiner and made of record. In accordance with 37 C.F.R. §1.98(d), copies of the listed reference are enclosed.

In accordance with 37 C.F.R. §§ 1.97(g) and (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, or an admission that the information disclosed is, or is considered to be, prior art with respect to the present application or material to patentability as defined in 37 C.F.R. §§ 1.56.

This Information Disclosure Statement is being filed on or after the mailing date of a first Office Action on the merits but before the mailing date of either a final Office Action under 37 C.F.R. § 1.113 or a notice of allowance under 37 C.F.R. § 1.113.

Also attached is a declaration by Per Torling of Cummins-Allison Corporation ("Cummins") describing experimental testing that was conducted between January 1, 1991 and May 19, 1991. If there are any matters which may be resolved or clarified through

telephone interview, the Examiner is respectfully requested to contact Applicants' undersigned attorney at the number indicated.

In accordance with 37 C.F.R. § 1.97(c), enclosed is a check in the amount of \$240.00 for the fee for filing this Information Disclosure Statement. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. AWD 01-2508/CUMM:139--1. A duplicate of this Statement is enclosed for that purpose.

Respectfully submitted,



Roger J. French
Reg. No. 27,786
Arnold, White & Durkee
P.O. Box 4433
Houston, Texas 77210
312/744-0090
Attorneys for Applicant